REMARKS

Claims 1-24 are pending. Claims 1, 3-4, 7, 9-10, 13 and 15-16 are amended herein. No new matter is added as a result of the claim amendments.

103 Rejections

The instant Office Action states that Claims 1-24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hundt, "HP Caliper – An Architecture for Performance Analysis Tools" in view of Srivastava et al. ("Srivastava;" U.S. Patent No. 5,963,740). (Applicants respectfully note that the reference is dated August 2000 in the Office Action, while the reference itself carries a date of October 2000.)

The Applicants have reviewed the cited references and respectfully submit that the present invention as recited in Claims 1-24 is not anticipated nor rendered obvious by Hundt or Srivastava, alone or in combination.

Applicants respectfully agree with the statement on page 2 of the instant Office Action, to the effect that Hundt does not teach identifying an inlined function in source code. The instant Office Action cites Srivastava as teaching this feature. Applicants respectfully disagree, for the reasons below.

The Examiner cites column 13, lines 42-53, of Srivastava as teaching "identifying an inlined function in source code." However, starting at line 43 of column 13, Srivastava specifically states "[t]hese routines may be used to identify procedures of the program which may be placed in-line to improve execution performance" (emphasis added). The "routines" referred to by

Srivastava are "exemplary user instrumentation and analysis routines that can be used to monitor different operating characteristics of the program" (see Srivastava column 12, starting at line 53; emphasis added). Quite clearly, these routines are being discussed in conjunction with Srivastava's Figures 4 and 5, which pertain to Srivastava's "program 100" (also referred to as procedures 100). Also, please see, for example, column 6, lines 45-51, of Srivastava, which indicates that program 100 is being instrumented for the purpose of performance monitoring.

In other words, "the program" cited at column 13, lines 42-53, of Srivastava is, unequivocally, program 100.

Importantly, Srivastava's program 100 is not "source code." According to Srivastava, source code modules 21-23 are included in program 20 not program 100. Additionally, please see Figure 2 of Srivastava, which indicates that program 100 is derived from the executable code 60, not the source code modules 21-23.

Therefore, Applicants respectfully submit that Srivastava does not teach that which it is relied upon as teaching.

As such, Applicants respectfully submit that neither Hundt nor Srivastava, nor the combination thereof, show or suggest "identifying an inlined function in source code" as recited in independent Claims 1, 7 and 13. Accordingly, Applicants respectfully submit that the basis for rejecting Claims 1, 7 and 13 under 35 U.S.C. § 103(a) is traversed, and that these claims are in condition for

allowance. Therefore, Applicants respectfully submit that the basis for rejecting Claims 2-6, 8-12 and 14-24 under 35 U.S.C. § 103(a) is also traversed, as these claims are dependent on allowable base claims and contain additional limitations.

Conclusions

In light of the above remarks, Applicants respectfully request reconsideration of the rejected claims.
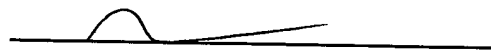
Based on the arguments presented above, Applicants respectfully assert that Claims 1-24 overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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